

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT
BOARD FOR PUERTO RICO,

as representative of
THE COMMONWEALTH OF PUERTO RICO, *et al.*,
Debtors.¹

PROMESA Title III

No. 17 BK 3283-LTS
(Jointly Administered)

**MOTION REQUESTING LEAVE TO CITE SPANISH-LANGUAGE CASE
LAW AND FOR EXTENSION OF TIME TO FILE A CERTIFIED TRANSLATION**

To the Honorable United States District Court Judge Laura Taylor Swain:

The Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the sole Title III representative of the Commonwealth of Puerto Rico (the “Commonwealth”), the Puerto Rico Highways and Transportation Authority (“HTA”), and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS,” and together with the Commonwealth and HTA the (“Debtors”) pursuant to section 315(b) of the *Puerto Rico Oversight*,

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Management, and Economic Stability Act (“PROMESA”),² respectfully submits this Motion Requesting Leave to Cite Spanish Language Case Law and an Extension of Time to File A Certified Translation (the “Motion”), and states as follows:

1. Today, the Debtors filed a reply (the “Reply”) to the *Motion Requesting Leave to Withdraw Legal Representation and Objection to Filing No. 16638* [ECF No. 16873] (the “Response”), filed on behalf of Jeanetta Pirtle and Humberto Medina-Torres, and in support of the *Three Hundred Fourteenth Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, and Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Claims for which the Debtors Are Not Liable* [ECF No. 16638].

2. In support of the arguments raised in the Reply, the Oversight Board cited *Fraguada Bonilla v. Hospital Auxilio Mutuo*, 186 D.P.R. 365 (P.R. 2012), available on Westlaw in its original Spanish language (the “Spanish-Language Case Law”).

3. Due to time constraints, despite diligent efforts, the Oversight Board was unable to obtain a certified English-language translation of the Spanish-Language Case Law prior to today’s filing.

4. Accordingly, the Oversight Board seeks leave from this Court to rely on the Spanish-Language Case Law in its original Spanish language, and requests an extension of two (2) days, to and including July 30, 2021, to file a certified English-language translation of the Spanish-Language Case Law pursuant to Local District Rule 5(g).

² PROMESA is codified at 48 U.S.C. §§ 2101-2241.

WHEREFORE, the Oversight Board respectfully requests that this Honorable Court enter the Proposed Order, attached as Exhibit A, permitting it to cite Spanish-Language Case Law in its original Spanish language; granting until July 30, 2021 to submit a certified English-language translation of the Spanish-Language Case Law; and granting such other and further relief as is just and proper.

Dated: July 28, 2021
San Juan, Puerto Rico

Respectfully submitted,

/s/ Hermann D. Bauer

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EXHIBIT A

Proposed Order

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT
BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA Title III

No. 17 BK 3283-LTS
(Jointly Administered)

**[PROPOSED] ORDER GRANTING MOTION REQUESTING LEAVE TO CITE
SPANISH-LANGUAGE CASE LAW AND FOR EXTENSION OF TIME TO
FILE A CERTIFIED TRANSLATION**

Upon consideration of the *Motion Requesting Leave to File Spanish Language Exhibits and an Extension of Time to File A Certified Translation* (Dkt. No. __) (the “Motion”), filed by the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the sole Title III representative of the Commonwealth of Puerto Rico (the “Commonwealth”), the Puerto Rico Highways and Transportation Authority (“HTA”), and the Employees Retirement

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

System of the Government of the Commonwealth of Puerto Rico (“ERS,” and together with the Commonwealth and HTA the (“Debtors”) pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”), and finding good cause for the requested relief, it is hereby ORDERED that:

1. The Motion is GRANTED as set forth herein.
2. The Oversight Board is permitted to rely on the Spanish-language version of the Spanish-Language Case Law².
3. The Oversight Board must submit a certified English-language translation of the Spanish-Language Case Law on or before July 30, 2021.

This order resolves Dkt. No. ____.

SO ORDERED.

DATED: July ___, 2021

/s/ _____
Honorable Laura Taylor Swain
United States District Judge

² Defined terms not otherwise defined herein shall have the meaning ascribed to them in the Motion.

CERTIFICATE OF SERVICE

I hereby certify that, on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notifications of such filing to all CM/ECF participants in this case.

/s/ Hermann D. Bauer
Hermann D. Bauer